

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OHIO
WESTERN DIVISION

JESSICA KAHL-ECKERT
8223 Dartmouth Drive
Warren, MI 48093

CASE NO.:

JUDGE:

Plaintiff,

COMPLAINT WITH JURY DEMAND
ENDORSED HEREON

v.

DAVID DUNHAM
200 Taylor Avenue
Sterlington, LA 71280

Trial Counsel:
Kyle Alison Cubbon (0006535)
CUBBON AND ASSOCIATES
CO., L.P.A.
500 Inns of Court Bldg.
405 North Huron
Toledo, OH 43604-1468
419-243-7243
Fax: 419-243-9512
kylecubbon@cubbon.com
Attorney for Plaintiffs

and

SOUTHEAST DIRECTIONAL
DRILLING, LLC
C/O National Registered Agents, Agent
300 W. Clarendon Avenue #230
Phoenix, AZ 85013

and

COLLEEN KAHL
8223 Dartmouth Drive
Warren, MI 48093

Defendants

* * * * *

Now comes the Plaintiff, Jessica Kahl-Eckert, by and through counsel, and alleges and

CUBBON
AND
ASSOCIATES
CO., L.P.A.
ATTORNEYS AT LAW
500 INNS OF COURT BUILDING
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avers as follows:

THE PARTIES

1. The plaintiff, Jessica Kahl-Eckert, is a resident of Warren, Michigan.
2. The defendant, Southeast Directional Drilling, LLC, is a corporation or other business entity having its principal place of business in Arizona.
3. The defendant, David Dunham, is a resident of Sterlington, Louisiana.
4. The defendant, Colleen Kahl, is a resident of Warren, Michigan.

JURISDICTION AND VENUE

5. This Court has jurisdiction with respect to the claims set forth herein pursuant to 18 U.S.C. §1332, in that diversity exists between the parties and the amount in controversy exceeds \$75,000.00.
6. Venue is proper as to this District and Division under 18 U.S.C. §1391(a) in that a substantial part of the event giving rise to this claim occurred within a county or counties in this District.

FIRST CLAIM FOR RELIEF

7. Plaintiff incorporates herein all of the allegations contained in the preceding paragraphs as though fully stated herein.
8. That while a passenger in a motor vehicle operated by Defendant, Colleen Kahl, she was involved in a vehicular collision on or about the 18th day of August, 2010 on the Ohio Turnpike in the County of Sandusky, State of Ohio.

9. That said vehicular collision was caused directly and proximately by the negligence operation of a motor vehicle by the Defendant David Dunham.

10. That at all times pertinent, Defendant Southeast Directional Drilling, LLC was the owner of the vehicle being operating by Defendant Dunham.

11. That at all times pertinent, Defendant Dunham was acting in the course and scope of his employment for Defendant Southeast Directional Drilling, LLC.

12. That as a direct and proximate result of the negligence of the defendants, David Dunham, Southeast Directional Drilling, LLC and Colleen Kahl, plaintiff sustained serious and partially disabling personal injuries including injuries to her head, neck and back; that in the care of said injuries plaintiff has been required to submit herself to medical care and treatment including x-rays, examinations, and treatments; that plaintiff has incurred medical expenses in the care and treatment of her injuries in excess of Seventeen Thousand Dollars (\$17,000.00) and will continue to incur medical expense in the future to an extent that cannot be determined nor in the exercise of reasonable diligence be ascertained at this time; that plaintiff continues to suffer from pain and inconvenience, with all of the foregoing to her damages.

SECOND CLAIM FOR RELIEF

13. Plaintiff incorporates herein all of the allegations contained in the preceding paragraphs as though fully stated herein

14. That said vehicular collision was caused directly and proximately by the

negligent operation of a motor vehicle by the Defendant Colleen Kahl.

15. That as a direct and proximate result of the negligence of the Defendant Colleen Kahl plaintiff sustained serious and partially disabling personal injuries including injuries to her head, neck and back; that in the care of said injuries plaintiff has been required to submit herself to medical care and treatment including x-rays, examinations, and treatments; that plaintiff has incurred medical expenses in the care and treatment of her injuries in excess of Seventeen Thousand Dollars (\$17,000.00) and will continue to incur medical expense in the future to an extent that cannot be determined nor in the exercise of reasonable diligence be ascertained at this time; that plaintiff continues to suffer from pain and inconvenience, with all of the foregoing to her damages.

WHEREFORE, plaintiff prays that judgment be entered against the defendants, jointly and severally, in an amount that exceeds Seventy Five Thousand Dollars (\$75,000.00) together with interest, costs and reasonably attorney fees associates with this action.

Respectfully submitted,

CUBBON AND ASSOCIATES CO., L.P.A.

/s/ Kyle Alison Cubbon
Kyle Alison Cubbon
Attorney for Plaintiff

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AND
ASSOCIATES
CO., L.P.A.
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DEMAND FOR JURY

Now comes the Plaintiff, by and through counsel, and hereby demands a trial by jury on all issues triable of right herein by a jury.

Respectfully submitted,

CUBBON AND ASSOCIATES CO., L.P.A.

/s/ Kyle Alison Cubbon
Kyle Alison Cubbon
Attorney for Plaintiff

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